

**KAYE SCHOLER LLP**

Michael J. Malecek  
650.319.4508  
michael.malecek@kayescholer.com

Two Palo Alto Square  
Suite 400  
3000 El Camino Real  
Palo Alto, California 94306-2112  
650.319.4500  
Fax 650.319.4700  
www.kayescholer.com

## MEMO ENDORSED

November 8, 2012

**BY EMAIL**

Honorable Richard J. Sullivan  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 615  
New York, New York 10007

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 11/8/2012

Re: Enzo Biochem et al. v. Amersham et al. (No. 02 Civ 8448)  
Enzo Biochem et al. v. Molecular Probes et al. (No. 03 Civ 3816)  
Enzo Biochem et al. v. PerkinElmer et al. (No. 03 Civ 3817)  
Enzo Biochem et al. v. Orchid Biosciences (No. 03 Civ 3819)  
Affymetrix v. Enzo Biochem et al. (No. 03 Civ 8907)  
Enzo Life Sciences v. Affymetrix (No. 04 Civ 1555)  
Roche Diagnostics v. Enzo Biochem, et al. (No. 04 Civ 4046)

Dear Judge Sullivan:

This letter seeks leave of the Court to allow counsel for Affymetrix to attend the upcoming status conference in the above-captioned cases on Friday, November 16, 2012 at 3:30 p.m. telephonically. We write to advise the Court that counsel for Affymetrix, who are located in California, and counsel for Orchid Biosciences, who are located in Massachusetts, would like to attend the conference by telephone. If this is acceptable to the Court, counsel will place a telephone call to the Court shortly before the designated time.

Respectfully submitted,

  
Michael J. Malecek

cc: Scott Bornstein, Esq.  
William McElwain, Esq.  
Matthew Wolf, Esq.  
Patrick Clendenen, Esq.  
Eric Jaegers, Esq.  
Robert Gunther, Esq.

The request is granted. Counsel for Affymetrix shall gather on one line and call Chambers at (212) 805-0264 at 3:30 p.m. on November 16, 2012.

SO ORDERED

Date: 11/8/12

  
RICHARD J. SULLIVAN  
U.S.D.J.